

Appl. No. 10/707,505  
Response dated October 27, 2006  
Reply to Office Action dated August 24, 2006

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REMARKS

Claims 1-34 were filed in the original applications. In the current response, claims 7-10, 13 and 25 have been canceled. Accordingly, claims 1-6, 11, 12, 14-24, 26 and 35-41 are pending and at issue.

Response to Claim objections

Applicant has canceled claim 13 making the objection moot.

Response to the §112 rejections

Applicant has canceled claims 7-10, 13 and 25 making the rejection moot.

Response to §103 rejections

Applicant respectfully traverses the rejection of claims 1, 24 and 35 as obvious over U.S. Patent No. 2,594,292 ("Cornelius") in view of U.S. Patent No. 3,807,234 ("Duperon"); the rejection of claims 1 and 24 as obvious over Cornelius in view of U.S. Patent No. 2,251,679 ("Kinnear"); the rejection of claims 1 and 24 as obvious over U.S. Patent 2,571,644 ("Zublin") in view of Kinnear; the rejection of claims 1 and 24 as obvious over Zublin in view of Duperon; the rejection of claim 1 as obvious over U.S. Patent 2,901,221 ("Linn") in view of U.S. Patent 3,329,217 ("Urbanosky"); and the rejection of claims 4 and 40 as obvious over Duperon in view of U.S. Patent 2,490,512, as any combination of these references fails to teach or suggest all of the claimed limitations and, as such, a *prima facie* case of obviousness has not been established.

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In particular, claim 1 recites "forming a substantially planar contiguous surface across the coring bit with the plurality of petals," claim 24 recites "forming a substantially contiguous surface across the coring bit with the plurality of petals prior to receiving the core sample ...and forming a substantially contiguous surface across the hollow coring shaft to capture the core in the hollow coring shaft," and claim 35 recites "a substantially contiguous planar surface across the hollow coring shaft." Thus, each of the claims includes an elastic retention member including a substantially contiguous surface disposed across a coring shaft or bit, which none of the above cited references discloses, teaches or suggests.

For example, Cornelius discloses a core catcher having a plurality of fingers that are pivotally attached. (Column 9, lines 8-20). The fingers, however, are not elastic but rather pivot to accommodate a core sample. In addition, the fingers as shown in Figure 9 are spaced apart from each other thereby creating large gaps or apertures between the fingers. Duperon discloses a core catcher including a plurality of fingers having free ends 14 which are convex and which terminate short of the one another so as to provide a scalloped opening 15. (Column 2, lines 32-36). The fingers, however, never form a contiguous surface across the shaft or bit, but rather provide a domed support for the sample. (Column 3, lines 24-26). Kinneer discloses a core catcher including a plurality of fingers 42 and, as stated by the examiner, Kinneer teaches an elastic retention member constructed of petals that are separated by gaps. Zublin discloses an apparatus having a core catcher (50) for recovering side wall cores. However, applicant has been unable to find the plurality of petals. Linn discloses a sidewall sampler bullet having a catcher 38, but the catcher fails to form any kind of contiguous surface across the shaft or bit.

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Urbanosky discloses non-elastic fingers that have to undergo permanent deformation in order to retain a core sample. (Column 4, lines 18-30).

Thus, none of the references alone or in combination discloses, teaches or suggests a sidewall coring tool that includes a substantially planar contiguous surface across the coring bit, nor do the references teach or suggest forming a substantially contiguous surface across the coring bit before and after capturing a core sample. Accordingly, the obviousness rejection of claims 1, 24 and 35 and their dependent claims should be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

This paper is submitted along with a Request for Continued Examination. Please apply any charges not covered, or any credits, to Deposit Account 19-0610 (Reference Number 20.2896).

Date: \_\_\_\_\_

10/27/06

Respectfully submitted,



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